

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

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|-------------------------------------|---|---------------------------|
| TAMMY M. WHALEN, |) | CASE NO. 1:24-cv-1928 |
| |) | |
| |) | |
| Plaintiff, |) | CHIEF JUDGE SARA LIOI |
| |) | |
| vs. |) | |
| |) | MEMORANDUM OPINION |
| |) | AND ORDER |
| |) | |
| COMMISSIONER OF SOCIAL SECURITY, |) | |
| |) | |
| |) | |
| Defendants. |) | |

Before the Court is the report and recommendation of the magistrate judge in the above-entitled action. (Doc. No. 11.) Under the relevant statute:

[...] Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C).

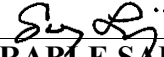
No objections have been filed to the magistrate judge's report and recommendation, and the time for filing objections has passed. The failure to file written objections to a magistrate judge's report and recommendation constitutes a waiver of a *de novo* determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); see *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the magistrate judge's report and recommendation and adopts the same. Accordingly, the decision of the Commissioner of Social Security is overruled, and the

matter is remanded for further proceedings consistent with the report and recommendation.

IT IS SO ORDERED.

Dated: June 25, 2025



HONORABLE SARA LIOI
CHIEF JUDGE
UNITED STATES DISTRICT COURT